

04-24-02

PATENT APPLICATION

FEE AUTHORIZATION / AMENDMENT TRANSMITTAL LETTER				Attorney's Docket No: A-378CIP2C3		
Serial No. 09/718,725	Filing Date November 22, 2000	Examiner DeBerry, Regina M.	Group Art Unit 1647			
In Re Application of Boyle et al.						
For Osteoprotegerin						
TO THE ASSISTANT COMMISSIONER FOR PATENTS:						
<input checked="" type="checkbox"/> Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a): <ul style="list-style-type: none"> <input type="checkbox"/> One month of original due date (\$110.00) <input type="checkbox"/> Two months of original due date (\$400.00) <input checked="" type="checkbox"/> Three months of original due date (\$920.00) <input type="checkbox"/> Four months of original due date (\$1,440.00) <input type="checkbox"/> Five months of original due date (\$1,960.00) 						
<input checked="" type="checkbox"/> A response in connection with the matter for which this extension is requested: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> is filed herewith. <input type="checkbox"/> has been filed. <input type="checkbox"/> The response is the filing of a continuing prosecution application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application. <input type="checkbox"/> The accompanying papers include amended claims for which no additional fee is required. <input type="checkbox"/> The accompanying papers include amended claims the fee for which has been calculated as follows: 						
CLAIMS AS AMENDED						
(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims	*	Minus	** =	0	x \$18	= \$ 0.00
Indep. Claims	*	Minus	*** =	0	x \$84	= 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$280	= 0.00
Total Additional Fee for this Amendment					\$0.00	
<ul style="list-style-type: none"> * If the entry in column 2 is less than the entry in column 4, write "0" in column 5. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. <p>The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.</p>						
<input type="checkbox"/> The following other fees are incurred by the accompanying papers. <ul style="list-style-type: none"> <input type="checkbox"/> Other: _____ 						
<p>Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$ <u>920.00</u>. A duplicate copy of this petition is attached.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a request therefore. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519. 						
<p><u>Please Send Future Correspondence To:</u></p> <p>US Patent Operations/RBW Dept. 4300, M/S 27-4-A AMGEN INC. One Amgen Center Drive Thousand Oaks, California 91320-1799</p> <p><u>Robert B. Winter</u> Attorney/Agent for Applicant(s) Registration No.:34,458 Phone: (805) 447-2425 Date: <u>APRIL 23, 2002</u></p>						

EXPRESS MAIL CERTIFICATE

Express Mail mail labeling number: EL360694271US

Date of Deposit: 23 APRIL 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

JL. St. Andrew

Printed Name

JL. St. Andrew

Signature

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PATENT APPLICATION

APR 23 2002
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyle et al.

Serial No.: 09/718,725

Group Art Unit No.: 1647

Filed: November 22, 2000

Examiner: DeBerry, Regina M.

For: Osteoprotegerin

Docket No.: A-378CIP2C3

Initials

APP 2002

RESPONSE

TECH CENTER 1000, L...

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated January 8, 2002 in which Claims 1-60 are subject to a restriction requirement.

The Examiner has indicated that restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1, 2-14, 18, 38 drawn to the isolated OPG nucleic acid, vector, host cell and method of making the polypeptide, classified in class 435, subclass 69.1.
- II. Claims 15-17, drawn to the transgenic mammal, classified in class 800, subclass 2.
- III. Claims 3, 19-37, 46-48, drawn to the isolated OPG polypeptide and the pharmaceutical composition, classified in class 530, subclass 350.
- IV. Claims 39-41, drawn to the antibody and the method of detecting using the antibody, classified in class 435, subclass 7.1.
- V. Claim 42, drawn to a method to assess the ability of binding of OPG with candidate substance, classified in class 435, subclass 7.8.
- VI. Claims 43-45, drawn to a method of regulating levels of OPG in an animal with a nucleic acid encoding OPG, classified in class 514, subclass 44.

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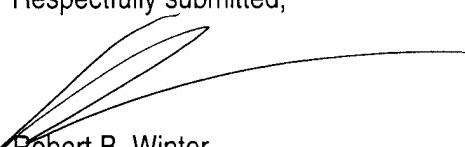
S. St. Andrew
Printed Name

S. St. Andrew
Signature

- VII. Claims 49-53, drawn to a method of treating a bone disorder comprising administering OPG polypeptide, classified in class 514, subclass 2.
- VIII. Claims 54-60, drawn to osteoprotegerin multimers, classified in class 530, subclass 387.1.

Applicants provisionally elect the invention corresponding to Group IV, Claims 39-41. Applicants acknowledge that the remaining claims are being withdrawn from further consideration by the Examiner as being directed to a non-elected invention.

Respectfully submitted,



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Date: April 23, 2002

Please send all future correspondence to:

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